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**FAIR POLITICAL PRACTICES COMMISSION**  
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Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION  
STATE OF CALIFORNIA

In the Matter of	)	FPPC No. 04/004
	)	
	)	
LAWRENCE FRANZELLA,	)	STIPULATION, DECISION and
	)	ORDER
	)	
Respondent.	)	
	)	

Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission, and Respondent Lawrence Franzella agree that this stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent, pursuant to Section 83116 of the Government Code.

Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondent's own expense, to confront and cross-examine all witnesses testifying at the

1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge  
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondent Lawrence Franzella violated the Political  
4 Reform Act by making, participating in making, or attempting to use his official position to influence a  
5 governmental decision in which he had an interest, in violation of Government Code Section 87100 (1  
6 count); by failing to timely report income from the sale of property on his 2004 annual Statement of  
7 Economic Interests, in violation of Government Code Sections 87200 and 87207 (1 count); and by  
8 failing to timely report income of \$10,000 or more on his 2005 and 2006 annual Statement of Economic  
9 Interests, in violation of Government Code Sections 87200 and 87207 (2 counts). All counts are  
10 described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set  
11 forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

12 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.  
13 Respondent also agrees to the Commission imposing upon him an administrative penalty in the amount  
14 of Nine Thousand Dollars (\$9,000). A cashier's check from Respondent in said amount, made payable  
15 to the "General Fund of the State of California," is submitted with this Stipulation as full payment of the  
16 administrative penalty, to be held by the State of California until the Commission issues its decision and  
17 order regarding this matter. The parties agree that in the event the Commission refuses to accept this  
18 Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission  
19 meeting at which the Stipulation is rejected, all payments tendered by Respondent in connection with  
20 this Stipulation shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the  
21 event the Commission rejects the Stipulation, and a full evidentiary hearing before the Commission  
22 becomes necessary, neither any member of the Commission, nor the Executive Director, shall be  
23 disqualified because of prior consideration of this Stipulation.

24  
25 Dated: \_\_\_\_\_

\_\_\_\_\_  
Roman G. Porter, Executive Director  
Fair Political Practices Commission

26  
27  
28 Dated: \_\_\_\_\_

\_\_\_\_\_  
Lawrence Franzella, Respondent

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IT IS SO ORDERED.

Ross Johnson, Chairman  
Fair Political Practices Commission